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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/237,466	01/26/1999	DEREK IAN JOSEPH HOPKINS	FHW-037	7489

7590 11/24/2004  
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Boston, MA 02109

EXAMINER

LY, ANH

ART UNIT	PAPER NUMBER
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2162

DATE MAILED: 11/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/237,466

Applicant(s)

HOPKINS, DEREK IAN JOSEPH

Examiner

Anh Ly

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 January 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Request Continued Examination***

1. The request filed on 09/29/2004 for a Request for Continued Examination (RCE) under 37 CFR 1.114 based on parent Application No. 09/237,466 is acceptable and a RCE has been established. An action on the RCE follows.
2. Claim 9 was cancelled (dated 09/09/2002).
3. Claims 1-8 are pending in this application.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,501,950 issued to Smith et al. (hereinafter Smith) in view of US Patent No. 6,151,354 issued to Abbey.

With respect to claim 1, Smith teaches receiving a plurality of data link messages, and include a message type field and at least one message content field whose meaning is determined by the message type (receiving messages from the data capture: col. 7, lines 48-52; and each message has a message: col. col. 8, lines 55-60);

storing the plurality of data link messages in a database (messages are stored in a table: abstract) ;

assigning each data link message to one of a plurality of message groups according to the message type field so that each group contains data link messages of a specific message type (message groups are indicated by tabs: col. 9, lines 28-35). within each of the message groups,

tabulating the messages so as to align corresponding message content fields (the messages are displayed in a window on as a tabular format under a group of message: col. 9, lines 32-35);

displaying the tabulated messages so that the corresponding message content fields are aligned (the displayed messages are grouped based on the tab or field: col. 9, lines 30-35)

displaying a list of field contents for each message content field, the list being filtered to remove repeated incidence of the same content (all messages are filtered and duplicated messages are removed/eliminated: col. 30, lines 5-15).

Smith teaches a system and method of capturing data/message from a network and stored messages in a table and displaying them in a tabular format with each tab holding data for a group. Smith does not clearly teach each of the data link messages being formatted digital data sequences transmitted between units.

However, Abbey teaches receiving message data signal as a digital message (col. 7, lines 54-60).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Smith with the teachings of Abbey by incorporating the use of digital data message as digital data in the transmission message process. The motivation being to have data link message about the tactical messages including the message types and message groups and the messages are displayed in a tabular format including filtering duplicate message.

With respect to claim 2, Smith teaches wherein the processing is applied to all groups (group of messages is selected by tab: abstract and col. 9, lines 32-36).

With respect to claim 3, Smith teaches wherein each group contains all data link messages of a specific message type (message type: abstract, col. 14, lines 21-26).

With respect to claim 4, Smith teaches wherein the list is sorted (messages are sorted and filtered: col. 15, lines 8-22).

With respect to claim 5, Smith teaches wherein the group is filtered so as to display only messages having a particular content for that field type, the content having been selected from the list (field type: col. 27, lines 5-18).

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With respect to claim 6, Smith teaches wherein the list is filtered to removed repeated incidence of content falling within a specified range (col. 28, lines 5-15).

With respect to claim 7, Smith teaches a method as discussed in claim 1.

Smith teaches a system and method of capturing data/message from a network and stored messages in a table and displaying them in a tabular format with each tab holding data for a group. Smith does not clearly teach which the data link messages are tactical data link messages.

However, Abbey teaches tactical data link (col. 8, lines 35-40).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Smith with the teachings of Abbey by incorporating the use of tactical data link digital message as digital data in the transmission message process. The motivation being to have data link message about the tactical messages including the message types and message groups and the messages are displayed in a tabular format including filtering duplicate message.

With respect to claim 8, Smith teaches a method as discussed in claim 1.

Smith teaches a system and method of capturing data/message from a network and stored messages in a table and displaying them in a tabular format with each tab holding data for a group. Smith does not clearly teach the messages are tactical data link messages originating from a plurality of military platforms, the messages being in digital form, at least some of which being transmitted by the units via a wireless network.

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However, Abbey teaches military, satellite platform, helicopter application, handheld device and the system is via a wireless network (col. 4, lines 30-42 and lines 48-50).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Smith with the teachings of Abbey by incorporating the use of military platform for some application such helicopter naval application via a wireless network and tactical data link digital message as digital data in the transmission message process. The motivation being to have data link message about the tactical messages including the message types and message groups and the messages are displayed in a tabular format including filtering duplicate message.

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**Contact Information**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Ly whose telephone number is (571) 272-4039 or via E-Mail: [ANH.LY@USPTO.GOV](mailto:ANH.LY@USPTO.GOV). The examiner can normally be reached on TUESDAY – THURSDAY from 8:30 AM – 3:30 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene, can be reached on (571) 272-4107 or Primary Examiner Jean Corrielus (571) 272-4032.


Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to: Central Fax Center (703) 872-9306

  
JEAN M. CORRIELUS  
PRIMARY EXAMINER

ANH LY   
NOV. 16<sup>th</sup>, 2004